

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Robert A. Emmett

Serial No. : 10/559,563

Attny No. : 710280-007

Filed : December 5, 2005

Title : BRAKE LINING WEAR INDICATOR

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GROUP:

EXAMINER:

**RESPONSE TO FILE MISSING PARTS OF APPLICATION**Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450**ATTENTION: MAILSTOP MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of Application dated March , 2005,  
Applicant is submitting herewith the required executed Declaration under § 37 CFR 1.53(b).

Enclosed is a Credit Card Payment Form PTO-2038 authorizing charges in the amount of  
\$ 130.00 to cover the declaration surcharge as set forth in 37 CFR 1.16(e). Enclosed as well is a  
copy of the Notice to File Missing Parts of Application - Filing Date Granted as requested.

The Commissioner is hereby authorized to charge any additional fees or credit any  
overpayments to deposit account No. 04-1061.

06/02/2006 ATRAN1 00000075 10559563

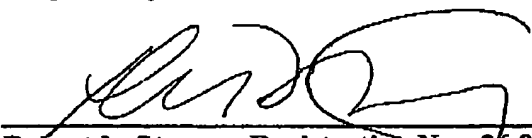
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130.00 0P

May 30, 2006

Date

Respectfully submitted,

  
 Robert L. Stearns, Registration No. 36,937  
 38525 Woodward Avenue, Suite 2000  
 Bloomfield Hills, MI 48304-2970  
 (248) 433-7382

Enclosures

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**FACSIMILE  
TRANSMITTAL SHEET**

38525 WOODWARD AVENUE, SUITE 2000  
BLOOMFIELD HILLS, MI 48304-5092  
TELEPHONE: (248) 433-7200  
FACSIMILE: (248) 433-7274  
<http://www.dickinsonwright.com>

CONFIRMATION ☐

TO: <b>MAIL STOP MISSING PARTS</b>	COMPANY: <b>US PATENT AND TRADEMARK OFFICE</b>
FAX NUMBER: <b>571-273-8300</b>	PHONE NUMBER:

**From:** Robert L. Stearns**Date:** May 30, 2006**Total Number of Pages Including Cover Sheet:** 9**RECEIVED  
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MISSING PARTS FOR US SERIAL NO 10/559,563

CREDIT CARD FORM

SIGNED DECLARATION

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If you have not received the total number of pages, please call the facsimile department at (248) 646-4300. *Thank you.*

**IMPORTANT** – This message is intended solely to be used by the individual or entity to which it is addressed. It may contain information which is privileged, confidential and otherwise exempt by law from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to its intended recipient, you are herewith notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone immediately and return this communication to us at the above address via the United States Postal Service. *Thank you.*

**OFFICE CODE**

**Client Name:**  
**Client/Matter Number:** 710280-007  
**Attorney Number:** [1178]  
**Secretary/Ext.:** KARRI 7386

**Matter Name:**  
**Attorney Initials:** RLS  
**No. of Pages:** 9  
**Amount:**

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Page 1 of 2

MAY 30 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22315-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/559,563	FIRST NAMED APPLICANT Robert A Emmett	ATTY. DOCKET NO. 71028-007
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INTERNATIONAL APPLICATION NO. PCT/EP04/02527
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I.A. FILING DATE 03/11/2004	PRIORITY DATE 06/03/2003
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Robert L Stearns  
Howard & Howard Attorneys  
39400 Woodward Avenue  
Suite 101  
Bloomfield Hills, MI 48304-5151



CONFIRMATION NO. 3833

371 FORMALITIES LETTER



\*OC000000018146226\*

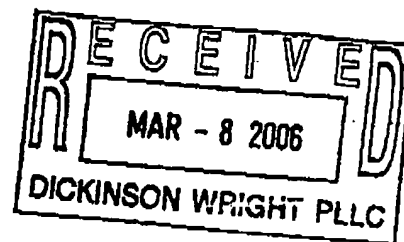
Reply Due 4/28/06

Date Mailed: 02/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/05/2005
- Copy of the International Search Report filed on 12/05/2005
- Copy of IPE Report filed on 12/05/2005
- Copy of Article 19 Amendments filed on 12/05/2005
- Preliminary Amendments filed on 12/05/2005
- Request for Immediate Examination filed on 12/05/2005
- U.S. Basic National Fees filed on 12/05/2005
- Substitute Specification filed on 12/05/2005
- Priority Documents filed on 12/05/2005
- Specification filed on 12/05/2005
- Claims filed on 12/05/2005
- Abstracts filed on 12/05/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

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## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Additionally the following defects have been observed:

- Article 19 amendments have not been entered because No English Translation.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,563	PCT/EP04/02527	71028-007

FORM PCT/DO/EO/905 (371 Formalities Notice)

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**CERTIFICATE OF MAILING**

I hereby certify that this Response and fee is being sent via facsimile 571-273-8300 addressed to the Commissioner for Patents, **MAILSTOP MISSING PARTS - FEE**, PO Box 1450, Alexandria, VA 22313-1450 on May 30, 2006.

  
Karri M. Chamberlin

BLOOMFIELD 710280-7 768312v1

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